

ORIGINAL

FROM: Michael-Trent: Barnes, Sui Juris
Secured Party/Creditor & Attorney-In-Fact
for the Ens Legis, RES: MICHAEL TRENT BARNES
Im Care of Non-assumptive, Postal Service
Address: P.O. Box 6000
Sheridan, Oregon, u.S.A.
[97378]

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 28 2007
at 2 o'clock and 4 min M.
SUE BEITIA, CLERK

United States District Court
for the District of Hawaii

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MICHAEL L. BARNES, in error,
MICHAEL TRENT BARNES, in error,
Michael-Trent: Barnes, in fact,
Defendant,

Cr. Case No 03-00502-SOM, et al.,

JUDICIAL NOTICE OF AFFIDAVIT
IN SUPPORT OF NOTICE OF DEFAULT
AND FAILURE TO CONTEST ACCEPTANCE

AFFIDAVIT IN SUPPORT OF NOTICE OF DEFAULT AND FAILURE TO CONTEST ACCEPTANCE

(and in the nature of a Declaration)

NOTICE TO AGENT IS NOTICE TO PRINCIPAL NOTICE TO PRINCIPAL IS NOTICE TO AGENT

"Indeed, no more than (affidavits) is necessary to make the prima facie case."
United States v. Kis, 658 F. 2d 526, 536 (C.A. 7 (WIS.) 1981); Cert. Denied, 50 U.S.L.W.
2169; S. Ct. March 22, 1982

I, Michael-Trent: Barnes hereinafter "Affiant," a living, breathing, flesh-and-blood, sentient "real" man, being first duly bound in conscience by deeply held spiritual convictions to perform this Act faithfully and truthfully; corpore et animo, sealed by and under authority of Affiant's own hand and Prerogative Instance In Law, having first hand knowledge of the facts contained herein, do DECLARE and ATTEST the following facts are true, correct, complete, and not meant to mislead to the best of Affiant's knowledge and conviction.

1. THAT, Affiant is competent and of age, standing, and capacity to state the matters contained herein, and has Declared and Attested that to the best of Affiant's knowledge and conviction, the statements made in this affidavit are true, correct, complete, and not meant to mislead;

2. THAT, Affiant is the Secured Party, superior claimant, Holder-in-due-course, and Principle Creditor having registered priority lien hold interest in and to ALL property held in the name of the Debtor; i.e. MICHAEL TRENT BARNES, evidenced by U.C.C.-1 & 3, Financing Statement(s) within No. 2004-212509 filed with the State of Hawaii/STATE OF HAWAII;

3. THAT, Affiant is the copyright owner; reserving ALL rights therein, to Debtor's trade-name, trade-mark; i.e. MICHAEL TRENT BARNES®, and any and all derivatives and variations in the spelling of said name except "Michael-Trent: Barnes", Noticed

and Filed Common-Law copyrighted and filed within the Bureau of Conveyance's public records, State of Hawaii/STATE OF HAWAII, Record No. 2004-212509, the security interest therein having been perfected and registered through reference and thereby incorporated within the Financing Statement identified supra @ No. 2;

4. THAT, Affiant is the Attorney-In-Fact and Authorized Representative of Debtor MICHAEL TRENT BARNES, identified at supra @ No. 2 and 3, as further evidenced upon and within the documents/instruments on file, of appointment, recorded in and within the record No. 2004-212509, the security interested therein having been perfected and registered through reference and filing therein and thereby incorporation with Financing Statement identified supra @ No. 2;

5. THAT, Respondent(s), Alberto R. Gonzales, Susan Oki Mollway, Edward H. Kubo, Jr., Mark D. Clarke, Beverly Wee Sameshima, Charlie A. Daniels, along with ALL unnamed agents, are herein addressed in their private capacity and their public capacity as United States/UNITED STATES agents/employees of the municipal corporation D.B.A.'s a government for the District of Columbia, participating in a commercial enterprise with their co-business partners (officers/agents/employees), to include but NOT limited to the Department of Justice, a sub-construct/agency, of the corporate entity and hereinafter collectively referred to as "Respondent";

6. THAT, the governing law of this private contract is the agreement of the parties supported by the Law Merchant and applicable maxims of Law established by silence, acquiescence, and tacit agreement;

7. THAT, Affiant at no time has willingly, knowingly, intentionally, or voluntarily agreed to subordinate Affiant's position as Creditor, through signature, words, actions, or inactions;

8. THAT, Affiant at no time has requested NOR accepted extraordinary benefits NOR privileges from Respondent, the United States/UNITED STATES, NOR any juridical sub-construct thereof;

9. THAT, Affiant is NOT a party to NOR signatory to ANY valid contract NOR compact with Respondent that requires Affiant to perform in ANY manner NOR to tender payment of ANY amount of money to Respondent, NOR has Respondent disclosed under good faith and with clean hands ANY contract, agreement, or otherwise evidencing that Affiant is required to perform or tender payment there under;

10. THAT, on or about August 7th, 2007 C.E., Affiant caused to be sent an Affidavit in support of a void judgement & Tort Claim (a document of Discovery), in respect to Cause/Case # 03-00502-SOM, et al., via United States Certified Mail Account No. 7004 1160 0007 1819 2687 to the Respondent, requesting Rebuttal/refutation/dispute of the claims made "Proof of Claim" as to the status of Cause/Case # 03-00502-SOM et al., NOT being VOID AB INITIO and concerning the nature and source of the alleged law, venue, jurisdiction, authority and the relationship thereto; the nature and cause of arrest, named parties of interest, liability, criminal proceeding processes, lawfulness thereof and procedural legality/lawfulness therein, validity and enforceability of claimed void judgement(s), order(s), warrant(s), unlawfulness of imprisonment, possible contract violation, fraud, assumption of debt and other related matters as applying to a Void ab initio Judgement;

11. THAT, on August 6th, 2007 C.E., Affiant caused to be sent an Affidavit in support of a void judgement & Tort Claim (a document of Discovery), in respect to Cause/Case # 03-00502-SOM, et al., via United States Certified Mail Account No. 7004 1160 0007 1819 2311 to the Respondent, requesting Rebuttal/refutation/dispute of the claims made "Proof of Claim" as to the status of Cause/case # 03-00502-SOM, et al., NOT being VOID AB INITIO and concerning the nature and source of the alleged law, venue, jurisdiction, authority and relationship thereto; the nature and cause of arrest, named parties of interest, liability, criminal proceeding processes, lawfulness thereof and procedural legality/lawfulness therein, validity and enforceability of claimed void judgement(s), order(s), warrant(s), unlawfulness of imprisonment, possible contract violation, fraud, assumption of debt and other related matters as applying to a Void ab initio Judgement;

12. THAT, Respondent was given thirty (30) days, to respond with a rebuttal, "Proof of Claim", point-for-point; however the Respondent elected to remain silent or otherwise refused to state a claim upon which relief can be granted, failed to contest acceptance of offered tendered presentment, and have agreed, stipulated and confessed to the facts contained within the AFFIDAVIT(S) IN SUPPORT OF A VOID JUDGEMENT & TORT CLAIM, received over Fourty Five (45) days ago identified supra No. 10 & 11 above; as stated facts operate in favor of the Affiant/Tort Claimant;

13. THAT, Respondent is herein given an additional Three (3) days; Seventy-Two (72) hours, by the Affiant/Tort Claimant, causing to be sent a NOTICE OF FAULT AND OPPORTUNITY TO CURE AND CONTEST THE ACCEPTANCE, via First Class Mail, public recorded on U.S.D.C. for Hawaii case/cause No. 03-00502-SOM, et al., and U.S.D.C. for Oregon case/cause No. CV.'07-1176-CL; however if Respondent once again elects to remain silent or otherwise refuses to rebut/refute/disagree and/or provide the requested "Proofs of Claim", and thereby and therein, so justify and validate all matters relating to and bearing upon, ANY and ALL matters contained within the presented AFFIDAVIT(S) IN SUPPORT OF A VOID JUDGEMENT & TORT CLAIM, thus stipulating to, and providing the prima facie evidence of wrongful acts, (TORT injury/damage), and therefore, having stipulated by agreement based upon silence, general acquiescence, and therein tacit agreement that; inter alia, that Cause/Case # 03-00502-SOM, et al., was VOID ab initio (from the beginning) of the case/cause/action commenced by the Respondent's agents;

14. THAT, Respondent was requested to send a duplicate "Response" to a Third Party Witness and has failed to do so;

15. THAT, Respondent is henceforth in agreement with the Affiant/Tort Claimant and such agreement becomes the "Bargain of the Parties".

FURTHER Affiant sayeth naught.

Teste meipso, One places One's hand and seal hereto this 24th Day of the 9th Month in the "Acceptable Year" of Our King, Yahshua the Messiah, Two Thousand Seven C.E.

Without Prejudice

/L.S./ Michael-Trent: Barnes,
Michael-Trent: Barnes, Sui Juris,

In and Through:
International Sovereigns Association

WITNESSES

KNOW ALL MEN BY THESE PRESENTS that We, the Undersigned, in accordance with and pursuant to the Maxim of Spiritual Law as Written and Recorded by The Supreme Heavenly Father and Law-Giver YHWH - Whose presence We undertake this Act; See: Matthew 18:20 cf. John 10:30 (ALL Scripture cites herein given shall be given in the common and accepted vernacular and format Others convenience) - at Deuteronomy 19:15-18; Matthew 18:16-20; and, II Corinthians 13:1, on this 24th Day of the 9th Month in "The Acceptable Year" of Our King, Yahshua, Two Thousand and Seven, Michael-Trent: Barnes, the above named Affiant ("One"), in Our Presence and the presence of each of Us, signed and sealed the foregoing Affidavit in Support of Notice of Default and Failure to Contest Acceptance, Item No. Default 002, acknowledging to the Undersigned such to be His free and voluntary Act and Deed, and We; The Undersigned thereupon at His request, in His presence and in the presence of each other, hereunto subscribed Our names and geographical locations as "Attesting Witnesses."

-- FIRST WITNESS --
Without Prejudice

/L.S./ Thomas D. Weathers
Thomas D. Weathers, Secured Party/Creditor

non-assumpsit/TDC: In Care of: 27072 Ballston Road, Sheridan, Oregon

-- SECOND WITNESS --
Without Prejudice

/L.S./ Larry J. Jackson Sr.
Larry J. Jackson Sr.

non-assumpsit/TDC: In care of: 27072 Ballston Road, Sheridan, Oregon,

-- THIRD WITNESS --
Without Prejudice

/L.S./ Woodrow F. Gryn
Woodrow F. Gryn

non-assumpsit/TDC: In care of: 27072 Ballston Road, Sheridan, Oregon,